

LAW OFFICES OF  
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(410) 296-2250 • (202) 466-6532  
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231523

December 20, 2011

DEC 20 2011

Ms. Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D. C. 20423

RE: Docket No. AB-979 (Sub-No. 2X), *Connecticut Southern Railroad, Inc.*  
*Abandonment Exemption—in Hartford County, CT.*

Dear Ms. Brown:

Enclosed for filing are the original and 10 copies of a Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for Connecticut Southern Railroad, LLC, to abandon approximately 2.4 miles of line in Hartford County, CT, between milepost 2.0 and milepost 4.4 on its Suffield Subdivision, a check for the filing fee of \$3,600, and a disc containing a WORD version of the Petition and a pdf. Color maps are attached as Exhibit B.

Please time and date stamp the extra copy of this letter and the Petition for Exemption and return it with our messenger. Thank you for your assistance.

If you have any questions, please call or email me.

Sincerely yours

ENTERED  
Office of Proceedings

DEC 20 2011

Part of  
Public Record

**FEE RECEIVED**

DEC 20 2011

**SURFACE  
TRANSPORTATION BOARD**

Melanie B. Yasbin  
Attorney for:  
Connecticut Southern Railroad, Inc.

Enclosure

**FILED**

DEC 20 2011

**SURFACE  
TRANSPORTATION BOARD**

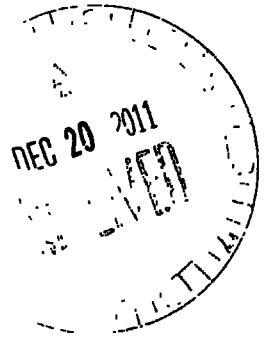
231523

BEFORE THE  
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-979 (Sub-No. 2X)

CONNECTICUT SOUTHERN RAILROAD, INC.—  
ABANDONMENT EXEMPTION—  
IN HARTFORD COUNTY, CT

VERIFIED NOTICE OF EXEMPTION



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Office of Proceedings

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Public Record

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DEC 20 2011  
SURFACE  
TRANSPORTATION BOARD

Scott G. Williams, Esq.  
Senior Vice President and General Counsel  
RailAmerica, Inc.  
7411 Fullerton Street  
Suite 300  
Jacksonville, FL 32256  
(904) 538-6329

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
600 Baltimore Avenue  
Suite 301  
Towson, MD 21204  
(410) 296-2250

Attorneys for: Connecticut Southern  
Railroad, Inc.

Dated: December 20, 2011

**FILED**  
DEC 20 2011  
SURFACE  
TRANSPORTATION BOARD

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-979 (Sub-No. 2X)

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CONNECTICUT SOUTHERN RAILROAD, INC.—  
ABANDONMENT EXEMPTION—  
IN HARTFORD COUNTY, CT

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VERIFIED NOTICE OF EXEMPTION

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Connecticut Southern Railroad, Inc. ("CSO") files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSO to abandon 2.4 miles of line in Hartford County, CT, between milepost 2.0 and 4.4 on its Suffield Subdivision ("Line"). No local rail traffic has moved over the Line during the past two years. Any overhead rail traffic can be rerouted over other rail lines.

Based on information in the possession of CSO, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

There are no local shippers on the Line. There has been no traffic on the Line for over 2 years. The last traffic to move over the Line was in July 2009. Until July 2009, local service on the Line was provided on as needed basis. Since July 2009, there has been no local traffic on the Line.

1. Proposed consummation date. The proposed abandonment date is February 9, 2012.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. Connecticut Southern Railroad, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105. CSO is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSO seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon 2.2 miles of line in Hartford County, CT, between milepost 2.0 and 4.4 on its Suffield Subdivision.

(4) Map. *See* Exhibit B-1.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Melanie B. Yasbin, Law Offices of Louis F. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2205.

(8) List of all United States Postal Service ZIP Codes that the line segments proposed for abandonment traversed. The Line traverses ZIP Codes 06078 and 06080.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any

reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSO believes that the property proposed for abandonment is suitable for other public purposes.

4. The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Combined Environmental and Historic Report. The Combined Environmental and Historic Report ("CEHR") was e-filed with the Board's Office of Environmental Analysis on November 30, 2011. Certification of service of the CEHR is attached as Exhibit D.

Respectfully submitted,



Scott G. Williams, Esq.  
Senior Vice President and General Counsel  
RailAmerica, Inc.  
7411 Fullerton Street  
Suite 300  
Jacksonville, FL 32256  
(904)538-6329

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
600 Baltimore Avenue  
Suite 301  
Towson, MD 21204  
(410) 296-2250

Attorneys for: Connecticut Southern  
Railroad, Inc.

Dated: December 20, 2011

**EXHIBIT A-VERIFICATION AND CERTIFICATION**

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS  
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA                     )  
  )     ss.  
COUNTY OF DUVAL                 )

I, James Shefelbine, being duly sworn depose and state that I am Vice-President of Connecticut Southern Railroad, Inc. ("CSO"), that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.

I hereby certify that no local traffic has moved over CSO's 2.4 miles of line between milepost 2.0 and 4.4 in Hartford County, CT, for at least two years prior to the date hereof, and that any overhead traffic on the line can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSO by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

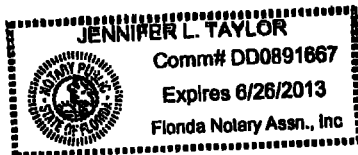
\_\_\_\_\_  
James Shefelbine

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of December, 2011.

My Commission Expires: 6/26/2013

\_\_\_\_\_  
Notary Public

**JENNIFER L. TAYLOR**



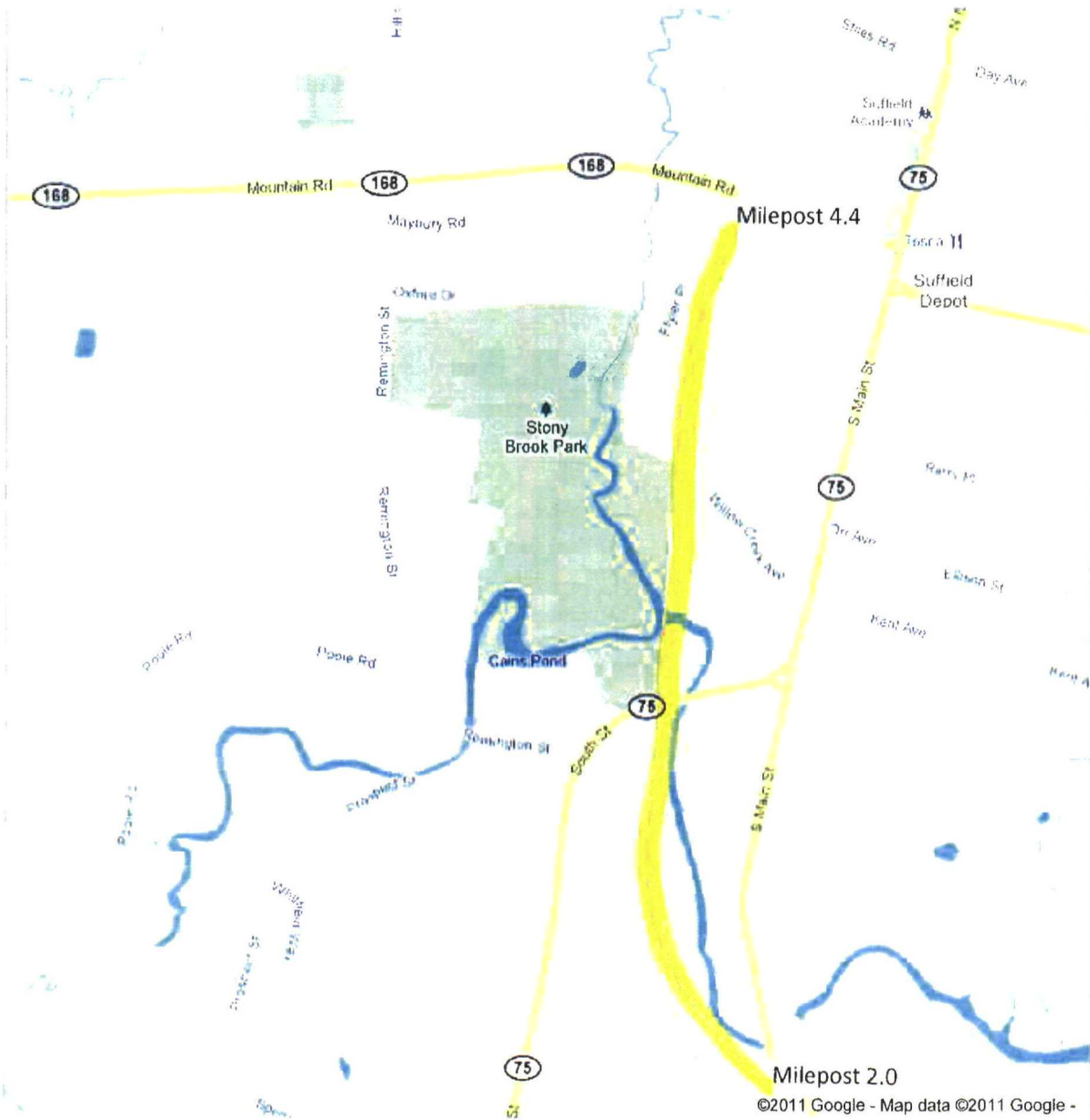
## **EXHIBIT B—MAP OF LINE**





Address **Suffield, CT**

Get Google Maps on your phone  
Text the word "GMAPS" to 466453



## **EXHIBIT C—CERTIFICATE OF SERVICE**

Pursuant to 49 C.F.R. § 1152.50(d)(1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-979 (Sub-No. 2X) was mailed via first class mail on December 9, 2011, to the following parties:

### **State Public Service Commission**

Department of Energy and Environmental Protection  
Public Utilities Regulatory Authority  
Ten Franklin Square  
New Britain, CT 06051

### **Military Traffic Management Command**

Headquarters  
Military Surface Deployment and Distribution Command  
Transportation Engineering Agency  
ATTN: SDTE-SA (Railroads for National Defense)  
1 Soldier Way, Building 1900W  
Scott AFB, IL 62225


### **National Park Service**

U.S. Department of Interior  
National Park Service  
WASO-Land Resources Division  
301 South Howes, Suite 208  
Fort Collins, CO 80522-0740

Mr. Charlie Stockman  
Program Manager  
Rivers, Trails and Conservation Assistance Program National Park Service  
1849 C Street, N.W. (Org Code 2220)  
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture  
Chief of the Forest Service  
Mailstop: 1144  
1400 Independence Avenue, S.W.  
Washington, DC 20250

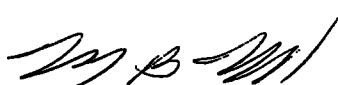


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Melanie B. Yasbin  
December 20, 2011

### **CERTIFICATE OF PUBLICATION**

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-979 (Sub-No. 2X) was advertised on December 10, 2011[VERIFY YHIS DATE. IT LOOKS TOO EARLY] in the Hartford Currant, a newspaper of general circulation in Hartford County, CT, as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read 'Melanie B. Yasbin', written over a horizontal line.

Melanie B. Yasbin  
December 20, 2011

## **CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. 1105.9**

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-979 (Sub-No. 2X) was mailed via first class mail on December 13, 2011, to the Connecticut Coastal Zone Manager at the address listed below in compliance with 49 C.F.R. 1105.9(a)(2).

Coastal Management Program  
Office of Long Island Sound Programs  
Bureau of Water Protection and Land Reuse  
Department of Environmental Protection  
70 Elm Street  
Hartford, CT 06106-5127



Melanie B. Yasbin  
December 20, 2011

## **EXHIBIT D**

### **CERTIFICATION OF COMPLIANCE**

The undersigned hereby certifies that the requirements of 49 C.F.R §1105.7, 49 C.F.R. §1105.8(d), and 49 C.F.R. §1105.11 have been complied with in Docket No. AB-979 (Sub-No. 2X)

A handwritten signature in black ink, appearing to read 'M B Yasbin', written over a horizontal line.

Melanie B. Yasbin  
December 20, 2011

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT  
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7 and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-979(Sub-No. 2X) was mailed via first class mail on November X, 2011, to the following parties:

Connecticut Department of Environmental Protection  
Office of Long Island Sound Program 79 Elm Street  
Hartford, CT 06106

Connecticut Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106

Connecticut Historical Commission  
Commission on Culture & Tourism  
State Historic Preservation Office  
One Constitution Plaza, Second Floor  
Hartford, CT 06103

Connecticut Intergovernmental Review Coordinator Budget and Financial Division  
Office of Policy Management  
450 Capital Avenue  
Hartford , CT 06106-1308

Natural Resources Conservation Service  
344 Marrow Road  
Tolland , CT 06084

EPA  
Region 1  
1 Congress Street  
Boston, MA 02114-2032

U.S. Army Corp of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

U.S. Fish and Wildlife Service,  
300 West Gate Center Drive  
Hadley, MA 01035-9589




U.S. National Geodetic Survey [via email at [Simon.Monroe@noaa.gov](mailto:Simon.Monroe@noaa.gov)]  
National Oceanic and Atmospheric Administration, Geodetic Services Division  
Room 9292, NGS/12  
1315 East-West Highway  
Silver Spring, MD 20910

U.S. National Park Service  
Northeast Region  
U.S. Custom House 200 Chestnut Street, Fifth Floor  
Philadelphia, PA 19106

Town of Suffield  
First Selectman Tom Frenaye  
83 Mountain Road  
Suffield, CT 06078

Coastal Management Program  
Office of Long Island Sound Programs  
Bureau of Water Protection and Land Reuse  
Department of Environmental Protection  
70 Elm Street  
Hartford, CT 06106-5127



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Melanie B. Yasbin  
December 20, 2011